

FILED
JUL 02 2013

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION

KENNETH BOYD SHANKLE,

Plaintiff,

v.

JOHN B. THOMAS,

Defendant.

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Civil Action No. 5:13cv00048

By: Michael F. Urbanski
United States District Judge

ORDER

This matter was referred to the Honorable B. Waugh Crigler, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b)(1)(B), for proposed findings of fact and a recommended disposition. The magistrate judge filed a report and recommendation on June 12, 2013, recommending that plaintiff's claim be dismissed for failure to prosecute. No objections to the report and recommendation have been filed, and the court is of the opinion that the report and recommendation should be adopted in its entirety. It is accordingly **ORDERED** and **ADJUDGED** that defendant's motion to dismiss (Dkt. # 4) is **GRANTED**, that plaintiff's claim is **DISMISSED without prejudice**, and that this matter is **STRICKEN** from the active docket of the court.

The Clerk is directed to send a certified copy of this Order to plaintiff and to counsel of record.

Entered: July 2, 2013

/s/ Michael F. Urbanski

Michael F. Urbanski
United States District Judge